

The committee chairwoman has not yet approved these minutes.
PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

DATE: November 16, 2005

CALLED TO ORDER: 5:36 p.m.

ADJOURNED: 6:39 p.m.

ATTENDANCE

Attending Members

Mary Moriarty Adams, Chairwoman
Greg Bowes
Vernon Brown
Sherron Franklin
Lynn McWhirter
William Oliver
Lincoln Plowman
Scott Schneider

Absent Members

AGENDA

PROPOSAL NO. 519, 2005 - appoints Terry Buford to the Marion County Community Corrections Advisory Board
"Do Pass" Vote: 8-0

PROPOSAL NO. 598, 2005 - transfers and appropriates \$600,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Fire Division (Fire General and Fire Pension Funds), to pay for additional unanticipated costs of fuel for vehicles, to cover overtime costs, and to reduce other appropriations to provide sufficient funds for the 2006 budget
"Do Pass" Vote: 8-0

PROPOSAL NO. 599, 2005 - approves a transfer of \$800,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Police Division (Police General and Police Pension Funds) to pay additional unanticipated costs of fuel for vehicles, and to reduce other appropriations to provide sufficient funds for the 2006 budget
"Do Pass" Vote: 8-0

PROPOSAL NO. 600, 2005 - approves a transfer of \$44,363 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund), between characters to purchase tactical vests and technology for the Justice Assistance grant, and for investigations equipment for Project Care
"Do Pass" Vote: 8-0

PROPOSAL NO. 601, 2005 - approves the amendment of the Marion County Sheriff's Department Retirement Plan adopting a deferred retirement option plan
"Do Pass" Vote: 8-0

PROPOSAL NO. 602, 2005 - approves an increase of \$1,641,000 in the 2005 Budget of the Marion County Sheriff's Department (Sheriff's Civil Fees Fund) to reimburse the City of Indianapolis for fuel provided to Sheriff's Department vehicles, financed by fund balance
"Do Pass" Vote: 8-0

PROPOSAL NO. 603, 2005 - approves an increase of \$4,097,357 in the 2005 Budget of the Department of Public Safety, Emergency Management and Police Divisions (Non-Lapsing Federal Grants Funds) to implement the 2nd year of a Homeland Security First Responder grant, funded by a grant from the US Department of Homeland Security, State Domestic Preparedness Equipment Program
"Do Pass" Vote: 8-0

PROPOSAL NO. 605, 2005 - approves an increase of \$146,800 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to reimburse local law enforcement agencies participating in DUI and seatbelt enforcement programs, and to fund a program to combat aggressive driving at high crash areas on Marion County's interstate system, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving
"Do Pass" Vote: 8-0

PROPOSAL NO. 606, 2005 - transfers \$40,000 in the 2005 Budget of the Marion County Clerk (Clerk's Perpetuation Fund) to purchase printed file folders for court records, the budget for which was in the wrong character
"Do Pass" Vote: 8-0

PROPOSAL NO. 607, 2005 - approves an increase of \$75,468 in the 2005 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to employ a staff research analyst and to fund a consulting contract to provide for data collection between all criminal justice agencies serving Marion County, financed by a federal grant allocated by the Indiana Criminal Justice Institute
"Do Pass" Vote: 8-0

PROPOSAL NO. 608, 2005 - approves an increase of \$3,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to assist with conference fees for the "Symposium on Juvenile Alternatives to Incarceration and the Protection of Abused and Neglected Children," financed by a grant from the Indiana Department of Education
"Do Pass" Vote: 8-0

PUBLIC SAFETY AND CRIMINAL JUSTICE COMMITTEE

The Public Safety and Criminal Justice Committee of the City-County Council met on Wednesday, November 16, 2005. Chairwoman Mary Moriarty Adams called the meeting to order at 5:36 p.m. with the following members present: Greg Bowes, Vernon Brown, Sherron Franklin, Lynn McWhirter, William Oliver, Lincoln Plowman, and Scott Schneider. Also present was Bart Brown, the Council's Chief Financial Officer.

PROPOSAL NO. 519, 2005 - appoints Terry Buford to the Marion County Community Corrections Advisory Board

Terry Buford, stated that he is the Chief Operations Officer of Universal Behavioral Services here in Indianapolis. He said that he is an Indianapolis native and looks forward to the opportunity to serve on the Marion County Community Corrections Advisory Board.

Councillor Oliver moved, seconded by Councillor Brown, to send Proposal No. 519, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 598, 2005 - transfers and appropriates \$600,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Fire Division (Fire General and Fire Pension Funds), to pay for additional unanticipated costs of fuel for vehicles, to cover overtime costs, and to reduce other appropriations to provide sufficient funds for the 2006 budget

Mr. Doug King, Public Safety Financial Analyst, stated that this proposal will appropriate \$300,000 in Character 01 for overtime, and \$300,000 in Character 05 for vehicle fuel. Mr. King stated there are additional fund reductions of \$199,000 in the Fire General fund and \$1 million in the Fire Pension fund. The source of this funding is through the budget reductions in the Fire General fund of \$799,000 in Characters 02, 03, 04, and the Fire Pension fund for \$1 million in Characters 01, 02, 03, 04, 05. The increases in Character 01, and 05 will enable the fire department to pay required operating expenses through the end of 2005. And the net reductions in the Fire General fund and the Fire Pension fund will have the effective increases of fund balance of those funds, which provide monies necessary to help fund the 2006 budget.

Jeff Seidenstien, with the Office of Finance and Management, stated this proposal is one of the overall plans for funding the 2006 budget.

Councillor Brown moved, seconded by Councillor Bowes, to send Proposal No. 598, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 599, 2005 - approves a transfer of \$800,000 and makes certain reductions in the 2005 Budget of the Department of Public Safety, Police Division (Police General and Police

Pension Funds) to pay additional unanticipated costs of fuel for vehicles, and to reduce other appropriations to provide sufficient funds for the 2006 budget

Mr. King stated that the \$800,000 will be an increase in Character 05 for vehicle fuel and will enable the police department to pay required operating expenses through the end of 2005. He said that the net reduction in police general fund will have the effect of increasing the fund balance, which will provide the monies necessary to fund the 2006 operating budget.

Councillor Brown moved, seconded by Councillor Oliver, to send Proposal No. 599, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 600, 2005 - approves a transfer of \$44,363 in the 2005 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund), between characters to purchase tactical vests and technology for the Justice Assistance grant, and for investigations equipment for Project Care

Liz Allison, Grant Manager for the Indianapolis Police Department (IPD), stated that inside the Justice Assistance Grant (JAG) there will be a reduction in Character 03, which was for building security and this is now being covered by the MSCD. There is also the funding for software licensing, which the department will not be purchasing. She said that \$27,740 will be used to purchase equipment for the SWAT team and the SCUBA team. Ms. Allison said that \$8,123 will be appropriated to upgrade printers. She said that there is \$8,500 that was to be used for training and other software licensing that will be transferred to Character 04 and then used to purchase investigative equipment for the North District Neighborhood Resource Officers.

Councillor Oliver moved, seconded by Councillor McWhirter, to send Proposal No.600, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 601, 2005 - approves the amendment of the Marion County Sheriff's Department Retirement Plan adopting a deferred retirement option plan

Ronald Chappel, Major of the Marion County Sheriff's Department (MCSD), stated that the original retirement plan was established in 1963 and it was reinstated effective January 1, 2002. He said that Senate Enrolled Act 611 allowed the County to adopt this Deferred Retirement Option Plan (DROP).

{Clerks note: Elaine Beatty, Vice President of McCready and Keene and Mike Bender, attorney for the Sheriff's Pension Board explained the DROP program packet (Exhibit A), which is on file with the original set of minutes in the Council office.}

Ms. Beatty said that the DROP program would allow a member to set long term goals on when they plan to leave the department. She said an advantage of enrolling in the DROP program is that the members of the plan can have their pension frozen or locked in at a time before they

sever employment with the department. That frozen benefit could accumulate on their behalf while they are still finishing out their career, and this lump sum of money will be available when the member leaves employment.

Some key points:

- The maximum number of years of service taken into account for your retirement benefit is 32 years. If you are eligible to retire and receive an unreduced benefit and do not yet have 32 years of service, you may elect the DROP.
- A member will not make employee contributions to the retirement plan during the DROP period. The employee contributions will stop at the end of the payroll period following your entry into the DROP. That means that you will save the amount of the employee contributions that would have been made during your DROP period.
- At the time a member enters the DROP program, their monthly retirement benefit will be calculated. It will be calculated based on the member's compensation and service on the date that member entered the DROP program as if that member had retired on that date. His/Her retirement benefit will not be recalculated for any reason.
- If a member elects a lump sum for the DROP benefit, it will be taxed as ordinary income in the year that the member receives it. The Department is required to withhold 20 percent of the lump sum for federal taxes when the lump sum is paid to the member. If that member is under age 55 when he/she retires, an additional 10 percent penalty may apply.

Councillor Bowes moved, seconded by Councillor McWhirter, to Amend Proposal No. 601, 2005 by adding sections 2.02, 6.11, 8.01, and 8.02 to Section 1. The motion carried by a vote of 8-0

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 601, 2005 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 602, 2005 - approves an increase of \$1,641,000 in the 2005 Budget of the Marion County Sheriff's Department (Sheriff's Civil Fees Fund) to reimburse the City of Indianapolis for fuel provided to Sheriff's Department vehicles, financed by fund balance

Major Chappel stated that the MCSD still owes \$641,210.82 in gasoline costs for 2004. And \$2,127,147.20 is the estimated gasoline cost for 2005. This proposal would transfer \$1,641,000 from the Sheriff Civil Fee Fund, to pay for some of the gasoline cost.

Chairwoman Moriarty Adams asked how much money was collected for the Sheriff's Civil Fee Fund. Kim Dyer, Office of Finance and Management, stated that \$ 795,000 was collected for the second half of 2005. She said that the projected fund balance at, the end of 2005, after this appropriation will be \$86,900.00 and the revenues for next years gasoline cost are budgeted at \$1.6 million.

Councillor Bowes stated that this gasoline situation is an example of how things are continuing to become more costly. He stated that he wanted to express his disappointment that this council did not pass Proposal No. 471, 2005, when this proposal was an opportunity to find some way to manage the city's tight budget more efficiently and not have to suffer tax increases.

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 602, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 603, 2005 - approves an increase of \$4,097,357 in the 2005 Budget of the Department of Public Safety, Emergency Management and Police Divisions (Non-Lapsing Federal Grants Funds) to implement the 2nd year of a Homeland Security First Responder grant, funded by a grant from the US Department of Homeland Security, State Domestic Preparedness Equipment Program

Ms. Allison stated that this proposal needs to be amended by reducing the total amount by \$1 million, and also by striking the First Responder and replacing it with Urban Area Security Initiatives (UASI). Ms. Allison said that the \$1 million reduction is because the City of Indianapolis no longer has to pay \$1 million to Medtronics for Hamilton County. Now they can make direct payments to Medtronic. She stated that the funding from this grant will be used for overtime and training, personal protection equipment, third party grantee, evacuation chairs that would help people with disabilities be evacuated from the building. Funds will also be used to purchase armored vehicles for both IPD and MCSD.

Councillor Schneider moved, seconded by Councillor McWhirter, to Amend Proposal No. 603, 2005 to reduce the total amount by \$1 million and then replace First Responder with UASI. This motion carried by a vote of 7-0.

{Clerks note: Ms. Allison explained the UASI grant year two funding sheet (Exhibit B), which is on file in the Council office with the original set of minutes.}

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 603, 2005 to the full Council with a "Do Pass as Amended" recommendation. The motion carried by a vote of 7-0.

PROPOSAL NO. 605, 2005 - approves an increase of \$146,800 in the 2005 Budget of the Marion County Prosecutor (State and Federal Grants Fund) to reimburse local law enforcement agencies participating in DUI and seatbelt enforcement programs, and to fund a program to combat aggressive driving at high crash areas on Marion County's interstate system, financed by grants from the National Highway Traffic Safety Administration and the Governor's Council on Impaired and Dangerous Driving

Lisa Bentley, Marion County Prosecutor's Office, stated that this Proposal is a combination of

two grants. The first is \$50,000 for gasoline costs for law enforcement agencies participating in task force programs that target aggressive driving at high crash areas on the Marion County Interstate system. The second part of this proposal is Project 55 which deals with people driving with road rage on the interstates.

Councillor McWhirter moved, seconded by Councillor Schneider, to send Proposal No. 605, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 606, 2005 - transfers \$40,000 in the 2005 Budget of the Marion County Clerk (Clerk's Perpetuation Fund) to purchase printed file folders for court records, the budget for which was in the wrong character

Tony Shaffer, Chief Deputy of the Marion County Clerk's office, stated that this request is a transfer of \$40,000 from Character 02 to Character 03 for the purchase of year 2006 court case file folders. He said historically this has been a Character 02 purchase, but the purchasing department thinks it would be better suited as a Character 03 expenditure.

Councillor Schneider moved, seconded by Councillor Oliver, to send Proposal No. 606, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 607, 2005 - approves an increase of \$75,468 in the 2005 Budget of the Marion County Justice Agency (State and Federal Grants Fund) to employ a staff research analyst and to fund a consulting contract to provide for data collection between all criminal justice agencies serving Marion County, financed by a federal grant allocated by the Indiana Criminal Justice Institute

Diana Burleson, Director of the Marion County Justice Agency, stated they received funding from the Indiana Criminal Justice Institute (ICJI) for \$75,468 to employ a staff research analyst and to fund a consulting contract to provide for data collection between all criminal justice agencies serving Marion County. She said that there is a local match of \$25,400, which is existing funds in the State Law Enforcement fund.

Councillor McWhirter moved, seconded by Councillor Schneider, to send Proposal No. 607, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

PROPOSAL NO. 608, 2005 - approves an increase of \$3,000 in the 2005 Budget of the Marion Superior Court (State and Federal Grants Fund) to assist with conference fees for the "Symposium on Juvenile Alternatives to Incarceration and the Protection of Abused and Neglected Children," financed by a grant from the Indiana Department of Education

Sue Patterson, Director of Finance stated that this request is for \$3,000 to pay for conference fees for the Symposium on Juvenile Alternatives to Incarceration. Ms. Patterson stated that at this symposium there was a great representation of the leaders of the community as well as citizens

from the community. Councillor Oliver stated the symposium was very well organized and very informative.

Councillor Schneider moved, seconded by Councillor McWhirter, to send Proposal No. 608, 2005 to the full Council with a "Do Pass" recommendation. The motion carried by a vote of 8-0.

Other Business:

Councillor McWhirter wanted to ask Robert Clifford of the Office of Finance and Management, two questions that she would like addressed at the next Public Safety Committee meeting.

1. How can Robert Clifford, Controller, cut a budget that has been approved by the City-County Council?
2. How does this cut affect the public safety agencies?

CONCLUSION

With no further business pending, and upon motion duly made, the Public Safety and Criminal Justice Committee of the City-County Council was adjourned at 6:39 p.m.

Respectfully submitted,

Mary Moriarty Adams, Chairwoman
Public Safety and Criminal Justice Committee

MMA/rjp